

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EDWARD ALBERTO MOZQUEDA,

Petitioner,

v.

RONALD HAYNES,

Respondent.

CASE NO. 2:22-cv-00038-BHS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

This matter comes before the Court on Magistrate Judge David W. Christel's Report and Recommendation ("R&R"). Dkt. 22. Judge Christel recommends dismissing Petitioner Edward Alberto Mozqueda's habeas petition with prejudice because his claim is procedurally barred. *Id.* at 10. He also recommends denying Mozqueda's motion to stay. *Id.* The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby order as follows:

(1) The R&R is **ADOPTED**;

(2) Mozqueda's Petition for Habeas Corpus, Dkt. 6, is **DISMISSED with prejudice**;

(3) Mozqueda's Motion to Stay, Dkt. 19, is **DENIED**;

(4) A certificate of appealability is **DENIED**;

1 (5) The Clerk is directed to send copies of this Order to Mozqueda, counsel for  
2 Respondent, and to Judge Christel; and

3 (6) The Clerk shall close the case.

4 Dated this 1st day of December, 2022.

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7 BENJAMIN H. SETTLE  
8 United States District Judge  
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